

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDEN WILLIE ISELI,
Petitioner,
v.
JEFF LYNCH,
Respondent.

Case No. 2:24-cv-01220-DJC-JDP (HC)

ORDER

Petitioner, a state prisoner proceeding pro se, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 19, 2024, the Magistrate Judge filed findings and recommendations herein which were served on Petitioner, and which contained notice to Petitioner that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner has filed objections to the findings and recommendations. ECF No. 7. In addition, Petitioner has filed a request for authorization in this Court. ECF No. 8. That request, however, must be filed in the Court of Appeals in the first instance. See 28 U.S.C. § 2244(b)(3)(A).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule

304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 19, 2024, are adopted in full;
2. The petition, ECF No. 1, is DISMISSED as successive and unauthorized;
3. The request for authorization to file a second or successive petition, ECF No. 8, is DENIED;
4. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253 as Petitioner has not made a substantial showing of the denial of a constitutional right, see 28 U.S.C. § 2253(c)(2); and
5. The Clerk of Court is directed to close this case and to enter judgment accordingly. This Order resolves all pending motions and requests.

IT IS SO ORDERED.

Dated: **October 18, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE